

ZB# 92-21

JoAnn Newcomb

63-8-3

Prelims,

July 23, 1992.

Need:

- ① Copy of Dec'd here
- ② Title Report there.
- ③ Photos. ~~new~~

Motion to sched.

P.H.

Fees: \$50 = \$250.4 here.

Notice faxed to
Sentinel on 8/5/92.

Public Hearing:

August 24, 1992.

Area Variance
Granted

MADE IN U.S.A.

NO. 753 1/3

ESSELTE

Oxford®

~~Do F.D.~~

Total Due:

\$108.50

Paid

#92-21-Newcomb, Joann

TOWN OF NEW WINDSOR
Union Avenue
New Windsor, NY 12550

GENERAL RECEIPT

12828

Received of of Ann C. Newcomb

August 25, 19 92
\$ 50 ⁰⁰/₁₀₀

Fifty and 00/100 DOLLARS

For Zoning Board Application Fee (#92-21)

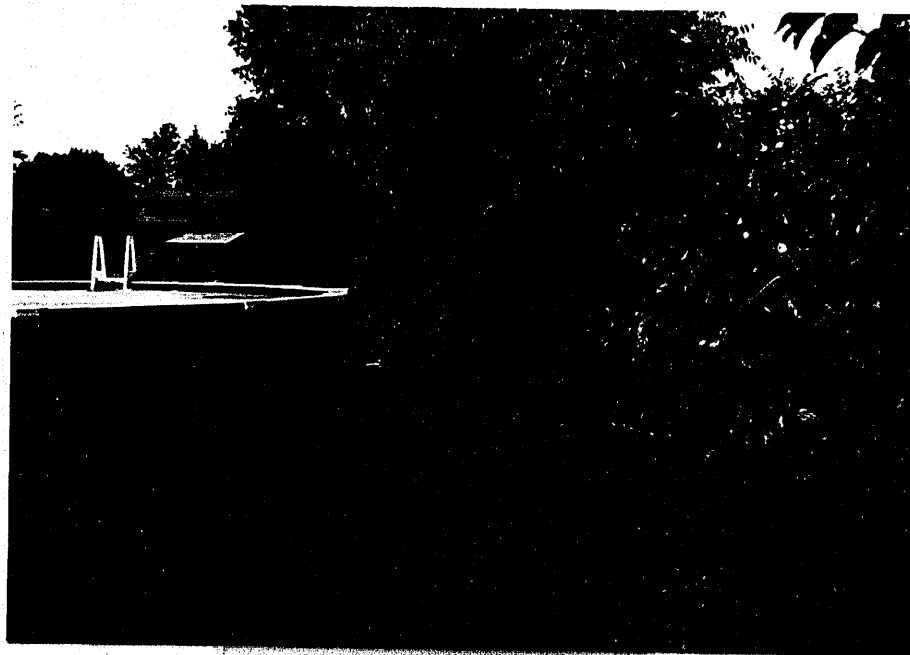
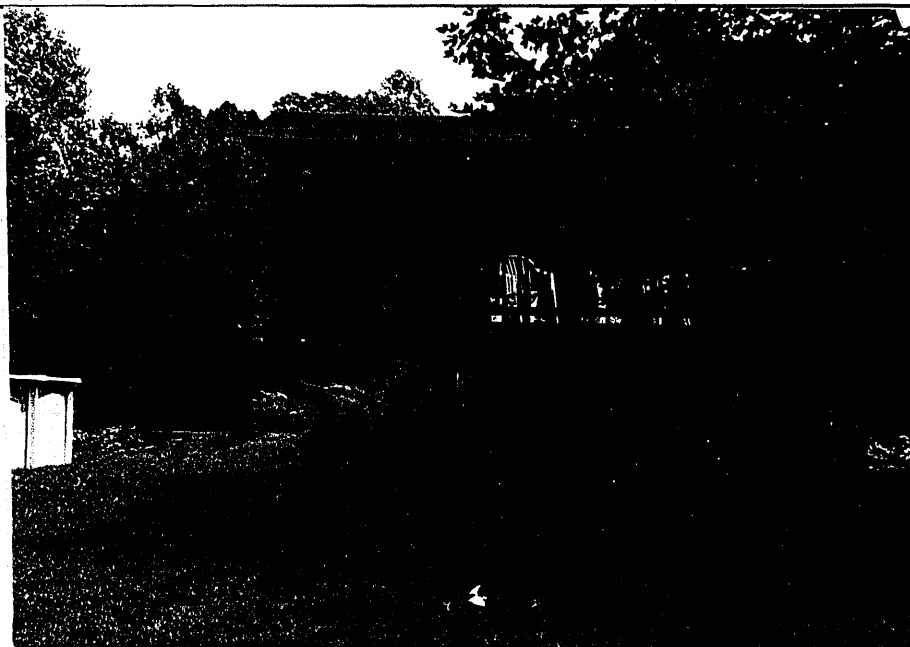
DISTRIBUTION:

FUND	CODE	AMOUNT
Check #1463		\$50.00

By Pauline B. Towne

Town Clerk
Title

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564



CD #166 - J & E B, BEIAN

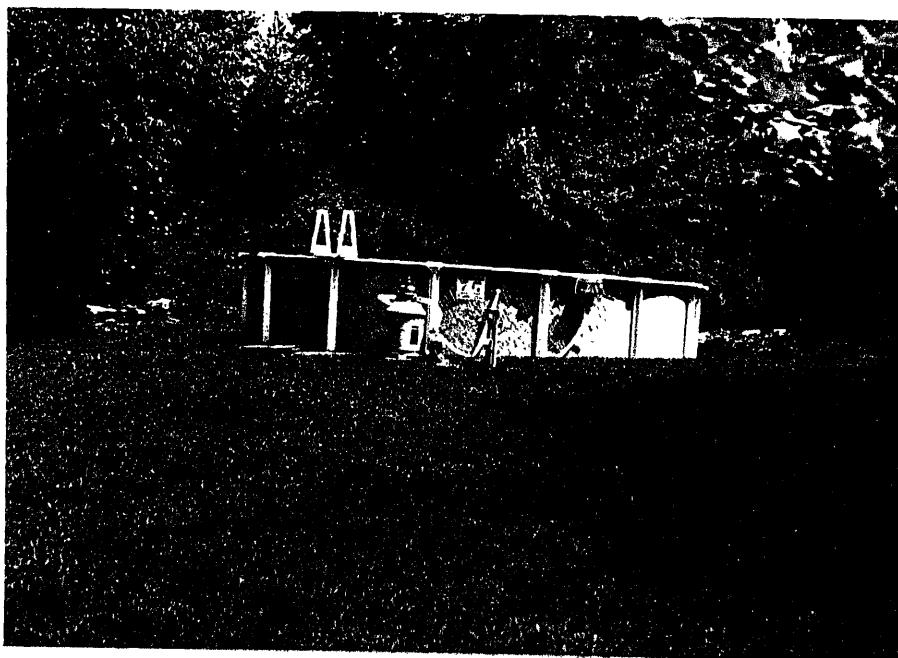
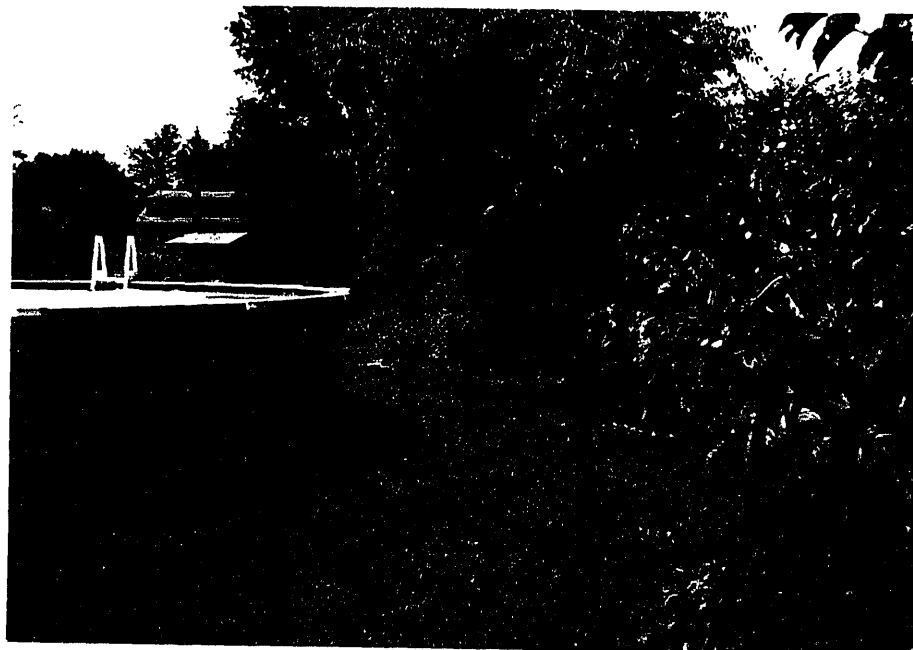
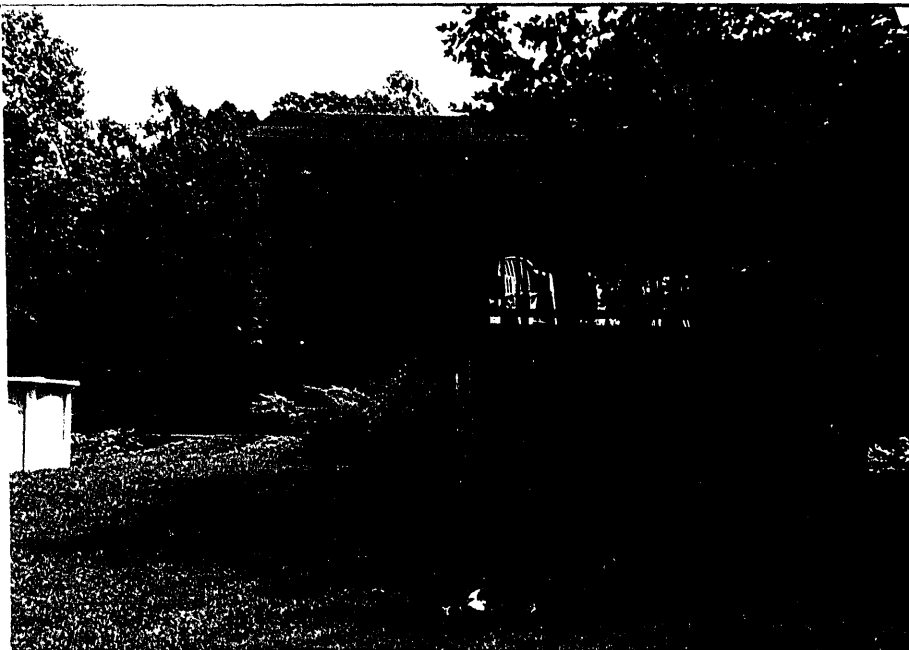
C. J. 166 - U. L. E. B. B. E. A. N.

Check #1463		50-

© WILLIAMSON LAW BOOK CO., VICTOR, N.Y. 14564

Town Clerk

Title









JaAnn C. Newcomb
R.D. 4, Box 269, Hickory Ave.
New Windsor, NY 12553

29-1/213

1463

Aug 5 1992

Pay to the order of
Fifty

Town of New Windsor

\$ 50.00

50 DOLLARS

NORSTAR BANK
OF UPSTATE NY

Vails Gate Office
Vails Gate, NY 12584-0218

Memo

92-21

JaAnn Newcomb

⑆02⑆3000⑆9⑆ 522 50⑆4924⑆ 1463

ANTIQUE



JaAnn C. Newcomb
R.D. 4, Box 269, Hickory Ave.
New Windsor, NY 12553

29-1/213

1464

Aug 5 1992

Pay to the order of

Town of New Windsor

\$ 250.00

Two hundred fifty

250 DOLLARS

NORSTAR BANK
OF UPSTATE NY

Vails Gate Office
Vails Gate, NY 12584-0218

Memo

92-21

JaAnn Newcomb

⑆02⑆3000⑆9⑆ 522 50⑆4924⑆ 1464

ANTIQUE

APPLICATION FEE (DUE AT TIME OF FILING OF APPLICATION)

APPLICANT: Newcomb, Ann
269 Hickory Ave. (BDL)
New Windsor NY 63-8-3

FILE # 92-21

RESIDENTIAL: \$50.00

COMMERCIAL: \$150.00

APPLICATION FOR VARIANCE FEE

\$ 50.00 ✓

pd.
#1463

* * * * *

ESCROW DEPOSIT FOR CONSULTANT FEES

\$ 250.00 pd.

* 1464

DISBURSEMENTS -

STENOGRAPHER CHARGES:

PRELIMINARY MEETING - PER PAGE 7/27/92 - 10 pages \$ 45.00
2ND PRELIM. MEETING - PER PAGE \$
3RD PRELIM. MEETING - PER PAGE \$
PUBLIC HEARING - PER PAGE 8/24/92 - 3 pages \$ 13.50

TOTAL \$ 58.50

ATTORNEY'S FEES: *

*

PRELIM. MEETING - .5 HRS. \$
2ND PRELIM. HRS. \$
3RD PRELIM. HRS. \$
FORMAL DECISION 1.5 HRS. \$

TOTAL HRS. 2 @ \$ 150.00 PER HR. \$ 300.00
TOTAL \$ 300.00

MISC. CHARGES:

TOTAL \$ 358.50

LESS ESCROW DEPOSIT . . . \$ 250.00
(ADDL. CHARGES DUE) . . . \$ 108.50
REFUND TO APPLICANT DUE . \$

paid
9/20/93
(PAB)

* Dan:
You were on vacation the night
of this hearing.
D

NEW WINDSOR ZONING BOARD OF APPEALS

-----X

In the Matter of the Application of

JOANN NEWCOMB

DECISION GRANTING
AREA VARIANCE

#92-21.

-----X

WHEREAS, JOANN NEWCOMB, 269 Hickory Avenue, New Windsor, New York 12553, has made application before the Zoning Board of Appeals for an existing pool, construction of a deck, 7 1/2 ft. fence along driveway, 6 ft. fence along Elm Drive, all contrary to Sections 48-14(A)(1)(b), 48-14(A)(4), 48-14(C)(1) and 48-21(G)(1) at the above location in an R-4 zone: and

WHEREAS, a public hearing was held on the 24th day of August, 1992 before the Zoning Board of Appeals at the Town Hall, New Windsor, New York; and

WHEREAS, applicant appeared in behalf of herself and spoke in support of the application; and

WHEREAS, there were no spectators appearing at the public hearing; and

WHEREAS, the Board received a copy of the notice of public hearing which was returned to the ZBA by C. Martha Shilling of Ormond Beach, Florida 32176 with the notation that she objected to the building of a fence along Elm Drive (paper street). Ms. Shilling owns property along Elm Drive; and

WHEREAS, except for Ms. Shilling's objection to the part of the application which seeks to construct a fence along Elm Drive, the application was unopposed; and

WHEREAS, the Zoning Board of Appeals of the Town of New Windsor makes the following findings in this matter:

1. The notice of public hearing was duly sent to residents and businesses as prescribed by law and published in The Sentinel, also as required by law.

2. The evidence shows that applicant is seeking permission to vary the provisions of the bulk regulations pertaining to front yard in order to permit an existing pool and the construction of a deck, 7 1/2 ft. high fence, along driveway and 6 ft. fence along Elm Drive at her residence in an R-4 zone.

3. The evidence presented by the applicant substantiated the fact that a variance for less than the allowable front yard, and set backs, all as required pursuant to Sections 48-14(A)(1)(b), 48-14(A)(4), 48-14(c)(1) and 48-21(G)(1), would be required in order to allow the existing pool and the construction of a deck, 7 1/2 ft. fence along the driveway and 6

ft. fence along Elm Drive, all of said proposed construction in connection with said existing pool.

4. The evidence presented by the applicant indicated that the parcel is on a corner lot and falls into the category of having two front yards required pursuant to Section 48-14(B)(2). It also appeared from evidence presented at the public hearing that applicant's house fronts on Hickory Avenue, an improved town road, and also on Elm Drive, a paper street which has not been opened or improved in the 20 years which applicant has resided at the property.

5. Nonetheless, since Elm Drive is a street, applicant must come before this Board to seek variances based on the fact that the frontage thereon creates a front yard. Applicant fails to meet the requirements of Section 48-21(G)(1) which provides that a pool shall not be located in any required front yard and shall not be closer than 10 ft. to any property line. In addition, applicant also fails to meet the requirements of Sections 48-14(A)(1)(b) and 48-14(c)(1) which provide that accessory buildings (which include the applicant's pool, deck and fences over 4 ft. high) shall be set back 10 ft. from any lot line. Finally, applicant also fails to meet the requirements of Section 48-14(A)(4) which provides that no accessory building shall project nearer to the street on which the principal building fronts than such principal building.

6. The evidence presented by the applicant further indicated that she had the pool installed by Pools Plus, a contractor which seemed to the applicant not to care about the town's requirements for building permits. The applicant called the town to check on requirements and, believing that the pool was in a side yard, thought (erroneously) that she met the applicable side yard requirements. She later applied for a building permit, was denied, and now, brings this application.

7. The further evidence presented by the applicant indicated that the proposed construction of a deck with fencing, while improving utility and value for the applicant, also are necessary in order to protect the public health, safety and welfare, and make the pool comply with the applicable building codes.

8. The evidence presented by the applicant indicated that, when applicant purchased the parcel of land she had to bring in several truckloads of fill due to the swampiness of the area located to the rear and side of the property.

9. The evidence presented by applicant substantiated the fact that the Town of New Windsor had to install a drainage pipe in order to drain off the excess water due to the swampiness and this left no alternative to applicant other than to install the pool in the front yard along Elm Drive because it was the highest and driest point of the parcel.

10. The evidence presented by applicant substantiated the fact that applicant will suffer a monetary loss if this

application is denied since there is no other feasible location for a pool on this lot.

11. The evidence presented by applicant indicated that applicant desires to construct the 6 ft. high fence along the paper street in order to stop the pedestrian traffic from cutting through her yard from the path which is known as Elm Drive. Applicant also intends to construct a 7 1/2 ft. high fence along the driveway for purposes of privacy since the pool is located in the front yard of applicant's property.

12. It is the finding of this Board that, notwithstanding the objection of Ms. Shilling, since Elm Drive is a paper street, and has not been improved for many years, that the undesirable change in the character of the neighborhood or the detriment to nearby properties from the granting of this variance is negligible.

13. It is the finding of this Board, from the evidence submitted by the applicant, that the applicant would suffer significant economic injury from the strict application of the bulk regulations because in order to construct the pool at the driest and highest point on the parcel, applicant had to place the pool in the front yard.

14. It is the finding of this Board that the applicant has made a sufficient showing of practical difficulty, entitling her to the requested area variances.

15. The requested variances will not produce an undersirable change in the character of the neighborhood or create a detriment to nearby properties.

16. There is no other feasible method available to applicant which can produce the benefit sought other than the variance procedure.

17. The requested variances are substantial in relation to the bulk regulations for front yard and set backs. However, applicant has resided adjacent to Elm Drive, a paper street, for twenty (20) years and feels that this paper street, which is actually a small path, will never become a town road.

18. The requested variance will not have an adverse effect or impact on the physical or environmental conditions in the neighborhood or zoning district.

19. The difficulty the applicant faces in conforming to the bulk regulations is self-created since applicant's contractor failed to apply for a building permit before constructing the pool but since the parcel in question is very wet and swampy in the rear and side yards, the location of the pool in the front yard would require variances. This latter difficulty the applicant faces in conforming to the bulk regulations is not self-created.

20. It is the finding of this Board that the benefit to the

applicant, if the requested area variances are granted, outweigh the detriment to the health, safety and welfare of the neighborhood or community by such grant.

21. It is the further finding of this Board that the requested area variances are the minimum variances necessary and adequate to allow the applicant relief from the requirements of the bulk regulations and at the same time preserve and protect the character of the neighborhood and the health, safety and welfare of the community.

22. The interests of justice will be served by allowing the granting of the requested area variances.

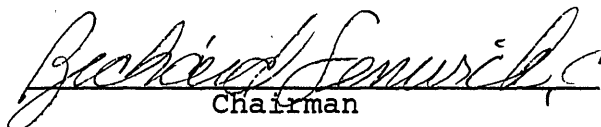
NOW, THEREFORE, BE IT

RESOLVED, that the Zoning Board of Appeals of the Town of New Windsor GRANT a variance to allow an existing pool to remain in the front yard, a variance to allow construction of a deck, 7 1/2 ft. high fence to be placed along Elm Drive, and a 6 ft. fence along the applicant's driveway, contrary to Sections 48-14(A)1(b), 48-14(A)(4), 48-14(C)(1) and 48-21(G)(1) as sought by applicant in accordance with plans filed with the Building Inspector and presented at the public hearing.

BE IT FURTHER,

RESOLVED, that the Secretary of the Zoning Board of Appeals of the Town of New Windsor transmit a copy of this decision to the Town Clerk, Town Planning Board and applicant.

Dated: October 26, 1992.


Chairman

(ZBA DISK#8-091492.JN)

Date 1.21.17 19.....

TOWN OF NEW WINDSOR

TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550

TO Frances Roth, 359 Mount Hill Rd DR.

New Windsor, N.Y. 12553

DATE			CLAIMED	ALLOWED
5/24/12	Zoning Board Meeting		75 00	
	Mexi - 8			
	Cavalari - 7			
	Bello - 3			
	Dante - 6			
	Newcomb - 3 13.50.			
	Dio Guardia - 1			
			90 00	
			165 00	

NEWCOMB, JOANN

-Public Hearing

MR. KONKOL: Request for variance for existing pool, construction of deck, 7 1/2 ft. fence along driveway, 6 ft. fence along Elm Drive contrary to Sections 48-14(a)1(B), 48-14(a)4, 48-14(C)1 and 48-21(g)1 at property located at 269 Hickory Avenue in R-4 zone.

Ms. Joann Newcomb came before the board representing this proposal.

MR. KONKOL: Let the record show that no one is here. You want to go ahead and tell the board, even though you told us before.

MS. NEWCOMB: I brought in some pictures this time so I can give you an idea. That is picture of the paper road, Elm Drive and this here is a picture of the drainage pipe that the Town put in because of my water problem that I have in the back yard. And this here I don't know if you can see it but there's water in there, it's like swampy. And this picture here shows the pool from Hickory Avenue coming down my driveway, it's right in front. And here's a picture of the side yard which like I said before that when I called, I realized I had two front yards, it's ten feet, it's more than ten feet from the paper road. And this is a picture of the back showing from my house where the pool, where it should be, I know it should be here and these are pictures that I took showing the slope. This is the high part. When I had my house built, I brought in truck loads and truck loads of fill and this is a picture of, I can't really see the swamp but you can here. And here also is pictures of the ground in the back where if you notice you can actually see water, it's like a sponge in certain areas. If I dig 6 to 12 feet inches into the ground, I wanted to try to show you, it's hard to show a slope. When I had the house built, I brought in a lot of fill because Hickory Avenue is built higher than the ground. Where I put the pool is the highest place, is the driest place and none of my neighbors have any objection. I keep a very nice home, I'm not endangering the environment, the paper road has been there for 20 years and I never knew

August 24, 1992

18

that I was two corner lots.

MR. KONKOL: How long has the pool been existing?

MS. NEWCOMB: June 3rd.

MR. KONKOL: This year?

MS. NEWCOMB: Yes.

MR. TORLEY: This is a classic picture of a paper road.

MS. NEWCOMB: That is the path if I do put the 6 foot fence along the side, it's for my protection because the kids go back and forth all day long and that paper street--

MR. KONKOL: How long have you owned the property.

MS. NEWCOMB: 20 years.

MR. KONKOL: Just wanted it into the record.

MRS. BARNHART: Can we keep a couple of these pictures?

MS. NEWCOMB: You can have them all. I have doubles.

MR. KONKOL: How about questions from the board?

MR. TORLEY: No, it's obviously paper road is causing the problem.

MR. NUGENT: No questions.

MR. TANNER: No questions.

MS. NEWCOMB: I'm going to put the 7 1/2 foot fence in the front, that is for privacy. I don't think it's going to be 7 1/2 foot tall.

MR. KONKOL: I'm going to open this up to the public. There's no one here so it is now closed. I do want to read into the minutes one of the notices from C. Marsha Schilling, Armond Beach, Florida, put a notation on her notice, Dear sir, I object to building a fence along

August 24, 1992

19

Elm Drive on which my property is on. I cannot attend the meeting as I live in the state of Florida. Sincerely, Mrs. Schilling. Let's show that this was received and recorded.

MS. NEWCOMB: That is the, that one piece of property.

MR. KONKOL: No further questions from the board, I'd like to have a motion for granting the variance.

MR. NUGENT: I make a motion we grant.

MR. TORLEY: Second it.

ROLL CALL

MR. NUGENT	AYE
MR. TANNER	AYE
MR. TORLEY	AYE
MR. KONKOL	AYE

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 7-20-92

APPLICANT: JOANN NEWCOMB
269 HICKORY AVE B.O.L.
NEW WINDSOR 496-7396-

Part (3 parts)

Prelim. July 27, 1992

#92-21.

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7-20-92
 FOR (BUILDING PERMIT) A 7 1/2' HIGH AND 6' HIGH FENCE IN A
LOCATED AT 269 HICKORY AVE FRONT YARD

ZONE R4
 DESCRIPTION OF EXISTING SITE: SEC: 63 BLOCK: 8 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: NOT MORE THAN
A 4' HIGH FENCE IN PERMITTED IN A FRONT YARD

FENCE

Michael Debrah
 BUILDING INSPECTOR

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE <u>R4</u> USE _____		
MIN. LOT AREA _____		
MIN. LOT WIDTH _____		
REQ'D FRONT YD _____		
REQ'D SIDE YD. _____		
REQ'D TOTAL SIDE YD. _____		
REQ'D REAR YD. _____		

NEW WINDSOR 496-7396-

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7-20-92
FOR (BUILDING PERMIT) A 7 1/2' HIGH AND 6' HIGH FENCE IN A
LOCATED AT 269 HICKEY AVE FRONT YARD

ZONE R4
DESCRIPTION OF EXISTING SITE: SEC: 63 BLOCK: 8 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: NOT MORE THAN
A 4' HIGH FENCE IN PERMITTED IN A FRONT YARD

FENCE

Mikal Bufan
BUILDING INSPECTOR

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE <u>R4</u> USE _____		
MIN. LOT AREA _____	_____	_____
MIN. LOT WIDTH _____	_____	_____
REQ'D FRONT YD _____	_____	_____
REQ'D SIDE YD. _____	_____	_____
REQ'D TOTAL SIDE YD. _____	_____	_____
REQ'D REAR YD. _____	_____	_____
REQ'D FRONTAGE _____	_____	_____
MAX. BLDG. HT. _____	_____	_____
FLOOR AREA RATIO _____	_____	_____
MIN. LIVABLE AREA _____	_____	_____
DEV. COVERAGE _____ %	_____ %	_____ %

ECTION 48-14(B)1

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
914) 363-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, B.P. FILE

IMPORTANT
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10. THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
11. SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
12. SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Name of Owner of Premises To Ann Newcomb
Address RD #4 Box 269 Hickory Ave Phone 914-496-7396
Name of Architect None
Address Phone
Name of Contractor None
Address Phone
State whether applicant is owner, lessee, agent, architect, engineer or builder owner
If applicant is a corporation, signature of duly authorized officer.

.....
(Name and title of corporate officer)

1. On what street is property located? On the West side of Hickory Ave
(N.E. or W.)
and feet from the intersection of Alder Ave
2. Zone or use district in which premises are situated Is property a flood zone? Yes No X
3. Tax Map description of property: Section 63 Block 8 Lot 3

IF ANY OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
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5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
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13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Name of Owner of Premises To Ann Newcomb
Address RD #4 Box 269 Hickory AVE Phone 914-496-7396
Name of Architect None
Address _____ Phone _____
Name of Contractor None
Address _____ Phone _____
State whether applicant is owner, lessee, agent, architect, engineer or builder owner
If applicant is a corporation, signature of duly authorized officer.

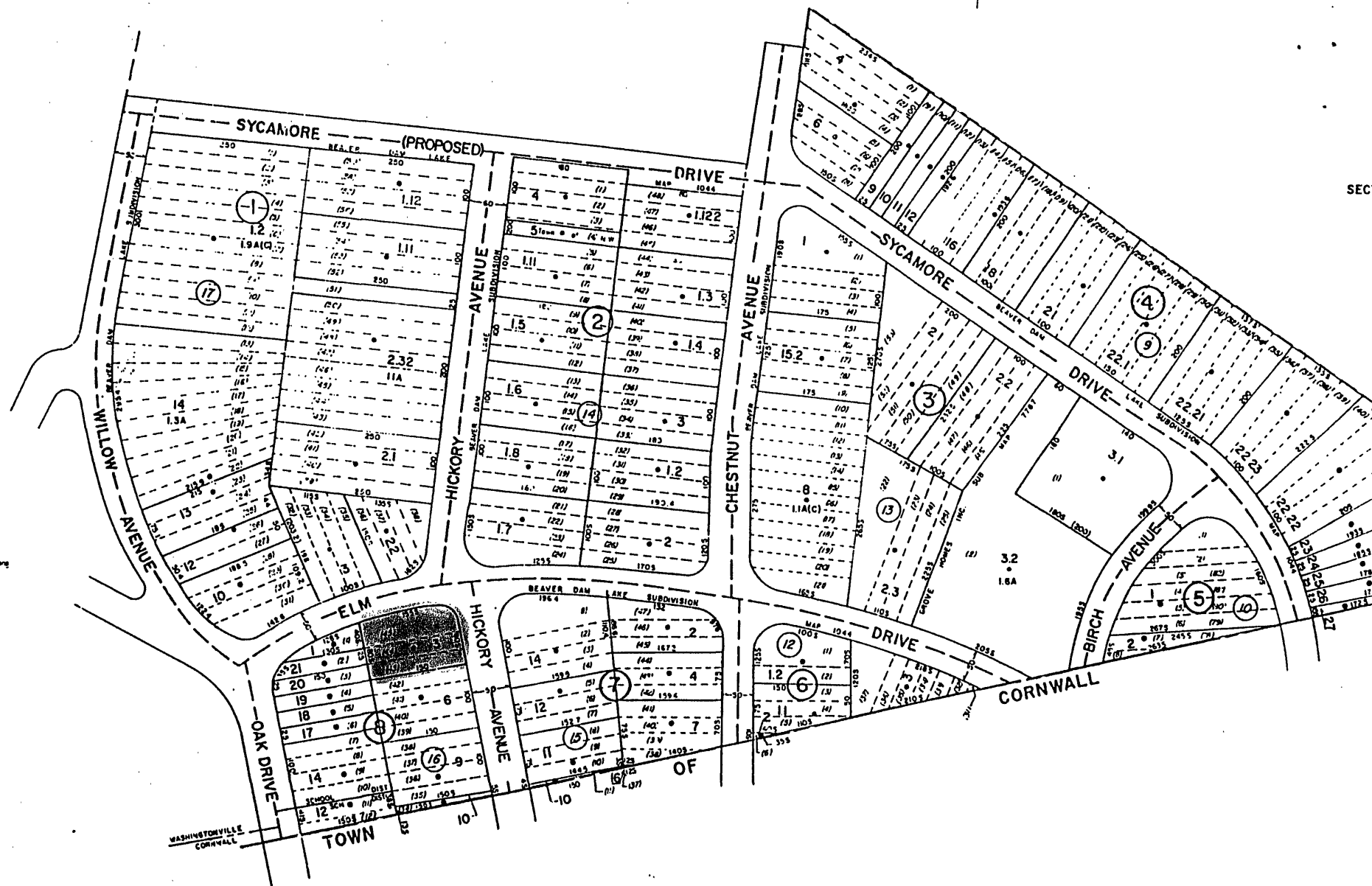
(Name and title of corporate officer)

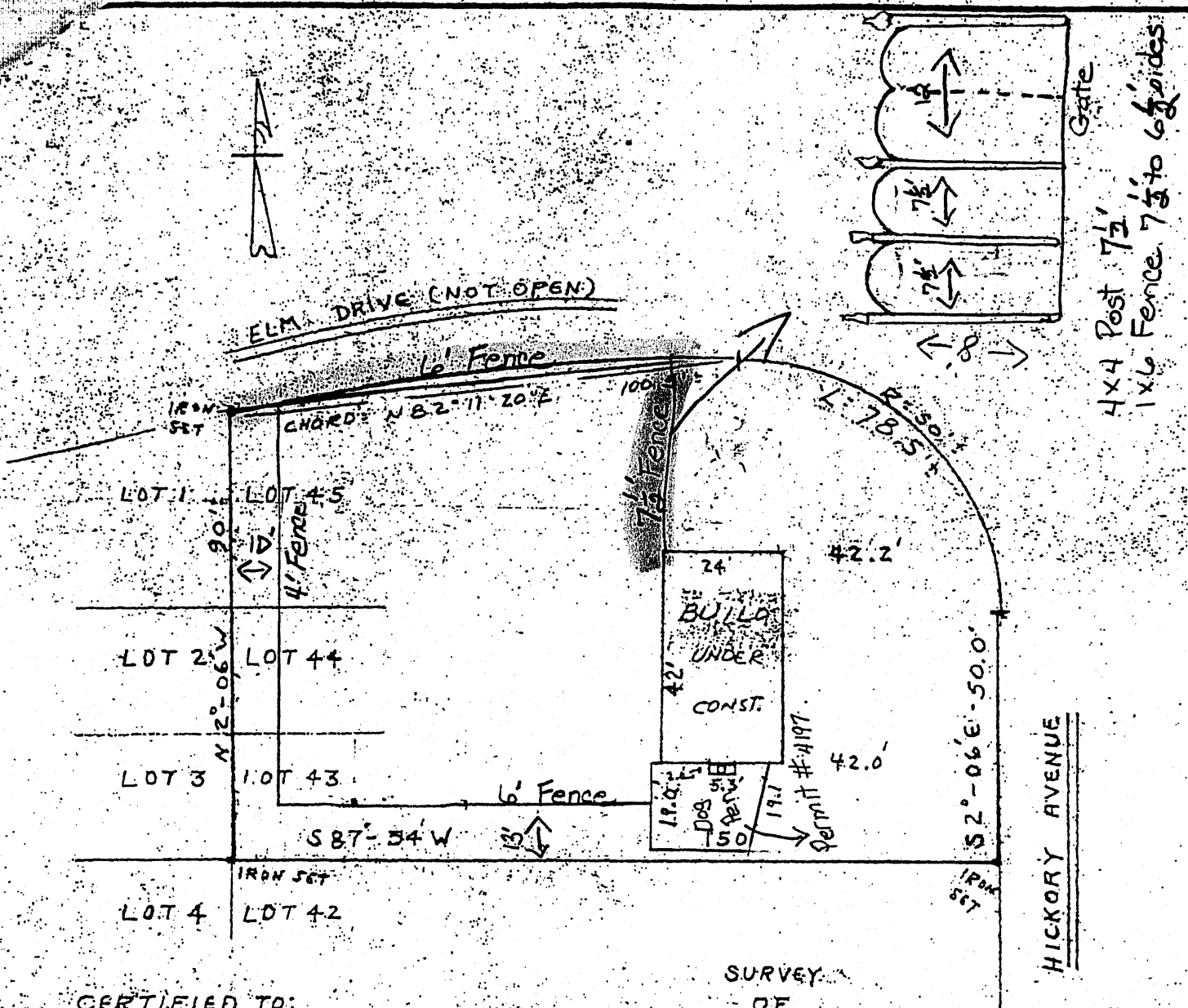
1. On what street is property located? On the West side of Hickory AVE
(N.E. or W.)
and _____ feet from the intersection of Alder AVE
2. Zone or use district in which premises are situated _____ Is property a flood zone? Yes _____ No X
3. Tax Map description of property: Section 63 Block 8 Lot 3
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy 1 Fam. Dwelling b. Intended use and occupancy Same
5. Nature of work (check which applicable): New Building _____ Addition _____ Alteration _____ Repair _____
Removal _____ Demolition _____ Other Fence 7 1/2 High AND 6 High
6. Size of lot: Front Rear _____ Depth 150 Front Yard 80 Rear Yard 90 Side Yard 100 ft
Is this a corner lot? Yes
7. Dimensions of entire new construction: Front _____ Rear _____ Depth _____ Height _____ Number of stories _____
8. If dwelling, number of dwelling units _____ Number of dwelling units on each floor _____
Number of bedrooms _____ Baths _____ Toilets _____
Heating Plant: Gas _____ Oil _____ Electric/Hot Air _____ Hot Water _____
If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost \$285.00 Fee 2
(to be paid on this application)
11. School District Washingtonville

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

SECT

SECTION 62





CERTIFIED TO:

- GERALD & JO ANN WESPHAL & CECILIA MACALUSO
- WARWICK SAVINGS BANK
- HOME TITLE DIV. - CHICAGO TITLE INSUR. CO.

William H. Youngblood
 (S-PR#40178)

SURVEY
 OF
 LOTS 43, 44 & 45
 BLOCK-16
 MAP OF
 BEAVER DAM LAKE
 SECTION 1
 TOWN OF NEW WINDSOR
 ORANGE CO., NEW YORK
 FILED: 5/5/31 AS #1044

WM. H. YOUNGBLOOD ASSOC.
 ENGINEERS AND SURVEYORS
 ROUTE 17M
 MONROE, NEW YORK
 814-785-2738

RECORDED JULY 25, 1972
 DATE

NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 7-20-92

APPLICANT: JOANN NEWCOMB
269 HICKORY AVE B.D.L
NEW WINDSOR NY.

Part 2-
(3 parts)

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7-20-92
 FOR (BUILDING PERMIT) 1 ~~DECK~~ TO BUILD DECK IN FRONT YARD
 LOCATED AT 269 HICKORY AVE

ZONE R4
 DESCRIPTION OF EXISTING SITE: SEC: 63 BLOCK: 8 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: DECK NOT ^{PERMITTED}
IN FRONT YARD

Mihal DeBach
 BUILDING INSPECTOR

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE <u>R4</u> USE <u>DECK</u>		
MIN. LOT AREA		
MIN. LOT WIDTH		
REQ'D FRONT YD		
REQ'D SIDE YD.		
REQ'D TOTAL SIDE YD.		
REQ'D REAR YD.		
REQ'D FRONTAGE		

NEW WINDSOR NY.

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7-20-92
FOR (BUILDING PERMIT) 1 DECK TO BUILD DECK IN FRONT YARD
LOCATED AT 269 HICKORY AVE

ZONE R4
DESCRIPTION OF EXISTING SITE: SEC: 63 BLOCK: 8 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS: DECK NOT PERMITTED
IN FRONT YARD

Michael D. Bush
BUILDING INSPECTOR

REQUIREMENTS	PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE <u>R4</u> USE <u>DECK</u>		
MIN. LOT AREA		
MIN. LOT WIDTH		
REQ'D FRONT YD		
REQ'D SIDE YD.		
REQ'D TOTAL SIDE YD.		
REQ'D REAR YD.		
REQ'D FRONTAGE		
MAX. BLDG. HT.		
FLOOR AREA RATIO		
MIN. LIVABLE AREA		
DEV. COVERAGE		

SECTION 48-14 (A) - 48-14 (C) - (2)

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
914) 363-4630 TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

CC: Z.B.A., APPLICANT, E.P. FILE

IMPORTANT
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

OTHER INSPECTIONS WILL BE MADE IN MOST CASES, BUT THOSE LISTED BELOW MUST BE MADE OR CERTIFICATE OF OCCUPANCY MAY BE WITHHELD. DO NOT MISTAKE AN UNSCHEDULED INSPECTION FOR ONE OF THOSE LISTED BELOW. UNLESS AN INSPECTION REPORT IS LEFT ON THE JOB INDICATING APPROVAL OF ONE OF THESE INSPECTIONS, IT HAS NOT BEEN APPROVED, AND IT IS IMPROPER TO CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

1. WHEN EXCAVATING IS COMPLETE AND FOOTING FORMS ARE IN PLACE (BEFORE POURING).
2. FOUNDATION INSPECTION. CHECK HERE FOR WATERPROOFING AND FOOTINGS DRAINS.
3. INSPECT GRAVEL BASE UNDER CONCRETE FLOORS, AND UNDERSLAB PLUMBING.
4. WHEN FRAMING IS COMPLETED, AND BEFORE IT IS COVERED FROM INSIDE, AND PLUMBING ROUGH-IN.
5. INSULATION.
6. PLUMBING FINAL & FINAL HAVE ON HAND ELECTRICAL INSPECTION DATA AND FINAL CERTIFIED PLOT PLAN. BUILDING IS TO BE COMPLETED AT THIS TIME. WELL WATER TEST REQUIRED AND ENGINEERS CERTIFICATION LETTER FOR SEPTIC SYSTEM REQUIRED.
7. DRIVEWAY INSPECTION MUST MEET APPROVAL OF TOWN HIGHWAY INSPECTOR. A DRIVEWAY BOND MAY BE REQUIRED.
8. \$20.00 CHARGE FOR ANY SITE THAT CALLS FOR THE INSPECTION TWICE.
9. PERMIT NUMBER MUST BE CALLED IN WITH EACH INSPECTION.
10. THERE WILL BE NO INSPECTIONS UNLESS YELLOW PERMIT CARD IS POSTED.
11. SEWER PERMITS MUST BE OBTAINED ALONG WITH BUILDING PERMITS FOR NEW HOUSES.
12. SEPTIC PERMIT MUST BE SUBMITTED WITH ENGINEER'S DRAWING & PERC TEST.
13. ROAD OPENING PERMITS MUST OBTAINED FROM TOWN CLERKS OFFICE.
14. ALL BUILDING PERMITS WILL NEED A CERTIFICATION OF OCCUPANCY OR A CERTIFICATE OF COMPLIANCE AND THERE IS A FEE FOR THIS

Name of Owner of Premises To Ann Newcomb
Address RD #4 Box 269 Hickory Ave Phone 914-496-7396
Name of Architect None
Address _____ Phone _____
Name of Contractor David Miller
Address 181 Moore Lane Washingtonville Phone 914-496-9688
State whether applicant is owner, lessee, agent, architect, engineer or builder _____
If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the West side of Hickory Ave
(N.S.E. or W.)
and _____ feet from the intersection of Alder Ave
2. Zone or use district in which premises are situated _____ Is property a flood zone? Yes _____ No X
3. Tax Map description of property: Section 63 Block 8 Lot 3
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy 1.5m Dwelling b. Intended use and occupancy Same
5. Nature of work (check which applicable): New Building _____ Addition _____ Alteration _____ Repair _____
Removal _____ Demolition _____ Other Deck
6. Size of lot: Front Rear _____ Depth 150' Front Yard 50' Rear Yard 75' Side Yard 100'
Is this a corner lot? Yes
7. Dimensions of entire new construction: Front 16' Rear 13' Depth 34' Height 6' Number of stories _____
8. If dwelling, number of dwelling units _____ Number of dwelling units on each floor _____

CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

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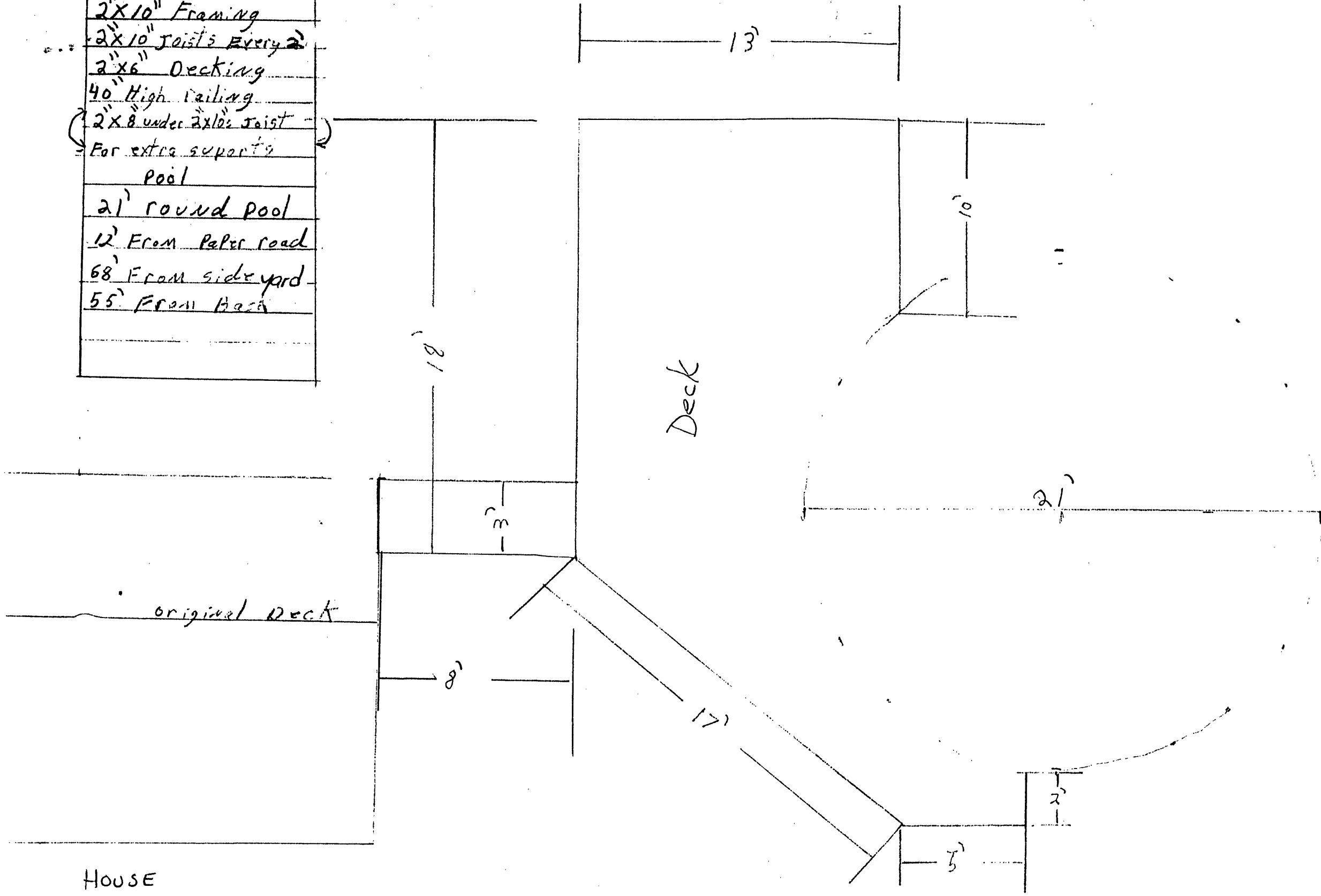
Name of Owner of Premises TaAnn Newcomb
Address RD #4 Box 269 Hickory AVE Phone 914-496-7396
Name of Architect None
Address _____ Phone _____
Name of Contractor David Miller
Address 181 Moore Lane Washingtonville Phone 914-496-9688
State whether applicant is owner, lessee, agent, architect, engineer or builder _____
If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the West side of Hickory AVE
(N.S.E. or W.)
and _____ feet from the intersection of Alder AVE
2. Zone or use district in which premises are situated _____ Is property a flood zone? Yes _____ No X
3. Tax Map description of property: Section 63 Block 8 Lot 3
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy 1.5m Dwelling b. Intended use and occupancy Same
5. Nature of work (check which applicable): New Building _____ Addition _____ Alteration _____ Repair _____
Removal _____ Demolition _____ Other Deck
6. Size of lot: Front Rear _____ Depth 150' Front Yard 50' Rear Yard _____ Side Yard 100'
Is this a corner lot? Yes
7. Dimensions of entire new construction: Front 16' Rear 13' Depth 34' Height 6' Number of stories _____
8. If dwelling, number of dwelling units _____ Number of dwelling units on each floor _____
Number of bedrooms _____ Baths _____ Toilets _____
Heating Plant: Gas _____ Oil _____ Electric/Hot Air _____ Hot Water _____
If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost Deck \$2800.00 + (1600 Pool) Fee 2
(to be paid on this application)
11. School District Washingtonville

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

- 4x4 Every 7
- 2x10 Framing
- 2x10 Joists Every 2
- 2x6 Decking
- 40" High railing
- 2x8 under 2x10 Joist
- For extra supports
- Pool
- 21' round pool
- 12' From Paper road
- 68' From side yard
- 55' From Back



NOTICE OF DISAPPROVAL OF BUILDING PERMIT APPLICATION

DATE: 7-20-92

APPLICANT: JOANN NEW COMB.

269 HICKORY AVE B.D.L.

NEW WINDSOR N.Y.

Part 3 -
(3 facts.)

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7-20-92

FOR (BUILDING PERMIT) To allow existing POOL in FRONT YARD

LOCATED AT HICKORY AVE B.D.L.

ZONE R4

DESCRIPTION OF EXISTING SITE: SEC: 63 BLOCK: 8 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

Mital C. Bhatia
BUILDING INSPECTOR

REQUIREMENTS		PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE <u>R4</u>	USE <u>POOL</u>		
MIN. LOT AREA			
MIN. LOT WIDTH			
REQ'D FRONT YD			
REQ'D SIDE YD.			
REQ'D TOTAL SIDE YD.			
REQ'D REAR YD.			
REQ'D FRONTAGE			

PLEASE TAKE NOTICE THAT YOUR APPLICATION DATED 7-20-92
FOR (BUILDING PERMIT) To allow existing POOL in FRONT YARD
LOCATED AT HICKORY AVE G.D.L

ZONE R4
DESCRIPTION OF EXISTING SITE: SEC: 63 BLOCK: 8 LOT: 3

IS DISAPPROVED ON THE FOLLOWING GROUNDS:

Mibal Cebal
BUILDING INSPECTOR

REQUIREMENTS		PROPOSED OR AVAILABLE	VARIANCE REQUEST
ZONE <u>R4</u>	USE <u>POOL</u>		
MIN. LOT AREA			
MIN. LOT WIDTH			
REQ'D FRONT YD			
REQ'D SIDE YD.			
REQ'D TOTAL SIDE YD.			
REQ'D REAR YD.			
REQ'D FRONTAGE			
MAX. BLDG. HT.-			
FLOOR AREA RATIO			
MIN. LIVABLE AREA			
DEV. COVERAGE			

SECTION 48-21 (G)-1

APPLICANT IS TO PLEASE CONTACT THE ZONING BOARD SECRETARY AT:
[REDACTED] TO MAKE AN APPOINTMENT WITH THE ZONING BOARD
OF APPEALS.

714) 363-4630

CC: Z.B.A., APPLICANT, B.P. FILE

IMPORTANT
REQUIRED INSPECTIONS OF CONSTRUCTION - YOU MUST CALL FOR THESE

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Name of Owner of Premises T. Ann Newcomb
Address RD #4 Box 269 Hickory Ave Phone 914-496-7396
Name of Architect None
Address _____ Phone _____
Name of Contractor David Miller
Address 181 Moore Lane Washingtonville Phone 914-496-9688
State whether applicant is owner, lessee, agent, architect, engineer or builder _____
If applicant is a corporation, signature of duly authorized officer. _____

(Name and title of corporate officer)

1. On what street is property located? On the West side of Hickory Ave
(N.E. or W.)
and _____ feet from the intersection of Alder Ave
2. Zone or use district in which premises are situated _____ Is property a flood zone? Yes _____ No X
3. Tax Map description of property: Section 63 Block 8 Lot 3
4. State exi...

CONTINUE BEYOND THAT POINT IN THE WORK. ANY DISAPPROVED WORK MUST BE REINSPECTED AFTER CORRECTION.

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Address _____ Phone _____
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If applicant is a corporation, signature of duly authorized officer.

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1. On what street is property located? On the West side of Hickory Ave
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and _____ feet from the intersection of Alder Ave
2. Zone or use district in which premises are situated _____ Is property a flood zone? Yes _____ No X
3. Tax Map description of property: Section 63 Block 8 Lot 3
4. State existing use and occupancy of premises and intended use and occupancy of proposed construction.
a. Existing use and occupancy 1.5m Dwelling b. Intended use and occupancy Same
5. Nature of work (check which applicable): New Building _____ Addition _____ Alteration _____ Repair _____
Removal _____ Demolition _____ Other Pool (21 Round) 4' Above ground pool
6. Size of lot: Front Rear _____ Depth 150' Front Yard _____ Rear Yard 90' Side Yard 100'
Is this a corner lot? Yes
7. Dimensions of entire new construction: Front 16' Rear 13' Depth 34' Height 6' Number of stories _____
8. If dwelling, number of dwelling units _____ Number of dwelling units on each floor _____
Number of bedrooms _____ Baths _____ Toilets _____
Heating Plant: Gas _____ Oil _____ Electric/Hot Air _____ Hot Water _____
If Garage, number of cars _____
9. If business, commercial or mixed occupancy, specify nature and extent of each type of use _____
10. Estimated cost Deck \$2800.00 + (16.00 Pool) Fee 2
(to be paid on this application)
11. School District Washingtonville

Costs for the work described in the Application for Building Permit include the cost of all the construction and other work done in connection therewith, exclusive of the cost of the land. If final cost shall exceed estimated cost, an additional fee may be required before the issuance of Certificate of Occupancy.

Rec'd. ZBA
8/24/92 (PAB)

PUBLIC NOTICE OF HEARING BEFORE
ZONING BOARD OF APPEALS
TOWN OF NEW WINDSOR

PLEASE TAKE NOTICE that the Zoning Board of Appeals
of the TOWN OF NEW WINDSOR, New York will hold a
Public Hearing pursuant to Section 48-34A of the
Zoning Local Law on the following proposition:

Appeal No. 21

Request of Jo Ann C. Newcomb

for a VARIANCE of

the regulations of the Zoning Local Law to

permit existing above-ground pool, construction
of deck, 7 1/2 ft. fence along driveway & 6 ft.
fence along Elm Drive (paper road);

being a VARIANCE of

Sections 48-14 (A) 1 (B), 48-14 (A) 4, 48-14 (C) 1 & 48-21 (G) 1

for property situated as follows:

269 Hickory Avenue, R.D 4, New Windsor,

N.Y. known & designated as tax map

Section 63 - Blk. 8 - Lot 3.

SAID HEARING will take place on the 24th day of

August, 1992, at the New Windsor Town Hall,

555 Union Avenue, New Windsor, N. Y. beginning at

7:30 o'clock P. M.

Dear Sir;

I object to building a fence
along Elm Drive on which my
property is on. I cannot attend a
meeting as I live in the State of Florida.

Richard Fenwick
Chairman

Sincerely,
C. Martha Shilling

C. Martha Shilling
37 Abraca Drive - Diamond Beach, Fl. 32176

ZONING BOARD OF APPEALS : TOWN OF NEW WINDSOR
COUNTY OF ORANGE : STATE OF NEW YORK

In the Matter of Application for Variance of

To Ann Newcomb,

Applicant.

AFFIDAVIT OF
SERVICE
BY MAIL

#92-21.

STATE OF NEW YORK)
) SS.:
COUNTY OF ORANGE)

PATRICIA A. BARNHART, being duly sworn, deposes and says:

That I am not a party to the action, am over 18 years of age and reside at 7 Franklin Avenue, New Windsor, N. Y. 12553.

On Aug. 12, 1992, I compared the 58 addressed envelopes containing the attached Notice of Public Hearing with the certified list provided by the Assessor regarding the above application for variance and I find that the addressees are identical to the list received. I then mailed the envelopes in a U. S. Depository within the Town of New Windsor.

Patricia A. Barnhart
Patricia A. Barnhart

Sworn to before me this
12th day of August, 1992.

Deborah Quinn
Notary Public

DEBORAH GREEN
Notary Public, State of New York
Qualified in Orange County
4984065
Commission Expires July 15, 1993

(TA DOCDISK#7-030586.AOS)



1763

TOWN OF NEW WINDSOR

555 UNION AVENUE
NEW WINDSOR, NEW YORK 12553

44

July 30, 1992

Joann Newcomb
RD 4, Box 269 Hickory Ave.
New Windsor, NY 12553

Re: Variance List 500 ft./63-8-3

Dear Mrs. Newcomb:

According to our records, the attached list of property owners are within five hundred (500) ft. of the above mentioned property.

The charge for this service is \$65.00, minus your deposit of \$25.00. Please remit balance of \$40.00 to the Town Clerk's office.

Sincerely,

Leslie Cook (CP)

LESLIE COOK
Sole Assessor

LC/cp
Attachments
cc: Pat Barnhart

Buscemi, Anthony T. & Mary Ann
RD 4 Hickory Ave.
New Windsor, NY 12553

Morin, Andree
643 Route 9W
Middlehope, NY 12550

Rossini, Lawrence D. & Kathleen A
RD 4 Hickory Ave.
New Windsor, NY 12553

Shilling, C. Martha &
Stine, Eileen F.
37 Hibiscus Drive
Ormond Beach, Florida 32176

Cuttica, Ronald G. & Ramona L.
291 Oak Drive
New Windsor, NY 12553

Laux, Frederick & Florence
RD 4 Willow Avenue
New Windsor, NY 12553

Ferris, William & Margaret A.
RD 4 Willow Ave.
New Windsor, NY 12553

Scarazzini, Gilbert
Box 294, RD 4 Willow Ave.
New Windsor, NY 12553

Doyle, Edward G. & Mary J.
RD 4 Hickory Ave.
New Windsor, NY 12553

Eggers, Jim W. & Theresa E.
231 Chestnut Drive
New Windsor, NY 12553

Desimone, Frank M. & Margaret
RD 4 Chestnut Ave.
New Windsor, NY 12553

Makotske, Raymond C. & Nancy A.
RD 4, Box 266 Hickory Ave.
New Windsor, NY 12553

Albarino, John & Maureen T.
Box 266C, RD 4 Hickory Ave.
New Windsor, NY 12553

Loniak, James A. & Paton, Luanne
RD 4 Hickory Ave
New Windsor, NY 12553

Loughlin, Leroy A. & Genevieve M.
110 Main Street
PO Box 246
Hackensack, New Jersey 07602

Carbone, Pasquale & Frances
Box 231
RD 4 Chestnut Ave.
New Windsor, NY 12553

Schmitt, Carole
RD 4 Chestnut Drive
New Windsor, NY 12553

Gise, Keith & Sandra April
Box 267B Hickory Ave
New Windsor, NY 12553

Kemmler, Adam & George & Anna
RD 4 Chestnut Ave.
New Windsor, NY 12553

Kotite, Antoinette
400 East 52nd Street
New York, NY 10022

Thornton, Cecil J. & Roma L.
RD 4 Box 232 Chestnut Ave.
New Windsor, NY 12553

Sherwood, Christopher J. & Lynn E.
RD 4 236 Chestnut Ave.
New Windsor, NY 12553

Scalice, Pauline
Box 238 Chestnut Ave.
New Windsor, NY 12553

Roberts, Victor J. & Anna D.
c/o Indiveri, Carol
23 Lancelot Lane
Basking Ridge, New Jersey 07920

Mangiaracina, Joseph & Carmela
Box 263
RD 4 Hickory Ave.
New Windsor, NY 12553

Rosselli, Albert V.
2 Pope Street
Levittown,
Long Island, New York 11756

Wald, Carl F. & Marianne
265 Hickory Ave.
New Windsor, NY 12553

Bothwell, James & Karen
RD #1, Box 692 Arbor Road
Campbell Hall, NY 10916

Tesar, William C. & Stephanie L.
RD 4, Box 270 Hickory Ave.
New Windsor, NY 12553

Lundstrum, Eric A.
271 Hickory Ave.
New Windsor, NY 12553

Linden, Hans & Margaret
RD 4 Hickory Ave.
New Windsor, NY 12553

Farrell, Robert G. & Charlotte M.
RD 4 Box 285 Oak Drive
New Windsor, NY 12553

Savino, Domenick & Matalda
238-26 115th Terrace
Elmont, NY 11003

Lovely, Robert C. & Mary E.
Box 288B Oak Drive
New Windsor, NY 12553

Sarnowski, Richard G.
RD 4, Box 296 Oak Drive
New Windsor, NY 12553

Abouelezz, Ahmed & Grace
RD 4 Box 295 Oak Drive
New Windsor, NY 12553

Moschitta, John & Concetta & Michael & Loretta
RD 4, Box 299D Oak Drive
New Windsor, NY 12553

Cardinal, Thomas K. & Andrea
RD 4, Box 300 Oak Drive
New Windsor, NY 12553

Carlbough, Joan M.
301 Oak Drive
New Windsor, NY 12553

Vassas, Robert & Lynnea
RD 4, 302 Oak Drive
New Windsor, NY 12553

Bombardi, Joseph &
Columbia, Consigli
34-09 Bell Boulevard
Bayside, NY 11061

Martellaro, Joseph A. & Patricia A.
RD 4, Box 311 Shore Drive
New Windsor, NY 12553

Palmer, Melville I. Jr.
RD , Box 312 Shore Drive
New Windsor, NY 12553

White, Jerry K
RD 4, Box 314 Shore Drive
New Windsor, NY 12553

TOWN OF NEW WINDSOR
ZONING BOARD OF APPEALS

APPLICATION FOR VARIANCE

92-21
Date: 8/5/92.

I. ✓ Applicant Information:

- (a) John C. Newcomb RD #4 Box 269 Hickory Ave New Windsor NY 12553 (914) 496-7316
(Name, address and phone of Applicant) (Owner)
- (b) _____
(Name, address and phone of purchaser or lessee)
- (c) _____
(Name, address and phone of attorney)
- (d) _____
(Name, address and phone of contractor/engineer/architect)

II. Application type:

- ☐ Use Variance ☐ Sign Variance
☒ Area Variance ☐ Interpretation

III. ✓ Property Information:

- (a) RD #4 Hickory Ave Box 269 63-8-3 80'x150'x90'
(Zone) (Address) (S B L) (Lot size)
- (b) What other zones lie within 500 ft.? N/A
- (c) Is a pending sale or lease subject to ZBA approval of this application? No
- (d) When was property purchased by present owner? Dec. 1991
- (e) Has property been subdivided previously? No
- (f) Has property been subject of variance previously? No
If so, when? _____
- (g) Has an Order to Remedy Violation been issued against the property by the Building/Zoning Inspector? No
- (h) Is there any outside storage at the property now or is any proposed? Describe in detail: No
- _____

IV. Use Variance. N/A

- (a) Use Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____, to allow:
(Describe proposal) _____
- _____

N/A
 (b) The legal standard for a "use" variance is unnecessary hardship. Describe why you feel unnecessary hardship will result unless the use variance is granted. Also set forth any efforts you have made to alleviate the hardship other than this application.

V. ✓ Area variance:

(a) Area variance requested from New Windsor Zoning Local Law, Section 48-14, Table of Use/Bulk Regs., Col. 1.

* Sections: 48-14 (A) 1 (B) 48-14 (C) (1)
 48-14 (A) (4) 48-21 (G) 1

Requirements	Proposed or Available	Variance Request
Min. Lot Area		
Min. Lot Width		
Reqd. Front Yd.		
Reqd. Side Yd.		
Reqd. Rear Yd.		
Reqd. Street Frontage*		
Max. Bldg. Hgt.		
Min. Floor Area*		
Dev. Coverage* %	%	%
Floor Area Ratio**		
Parking Area		

* Residential Districts only

** No-residential districts only

✓ (b) The legal standard for an "area" variance is practical difficulty. Describe why you feel practical difficulty will result unless the area variance is granted. Also set forth any efforts you may have made to alleviate the difficulty other than this application.
~~Area where pool was constructed was high and dry. Due to wet land on back and side yards. Fence will give protection from children and unwanted people entering yard and pool area. Deck will allow pool to meet requirements to be inspected~~

VI. Sign Variance: N/A

(a) Variance requested from New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

	Requirements	Proposed or Available	Variance Request
Sign 1			
Sign 2			
Sign 3			
Sign 4			

(b) ^{N/A} Describe in detail the sign(s) for which you seek a variance, and set forth your reasons for requiring extra or over size signs.

(c) ^{N/A} What is total area in square feet of all signs on premises including signs on windows, face of building, and free-standing signs?

VII. Interpretation. ^{N/A}

(a) Interpretation requested of New Windsor Zoning Local Law, Section _____, Table of _____ Regs., Col. _____.

(b) Describe in detail the proposal before the Board:

✓ VIII. Additional comments:

(a) Describe any conditions or safeguards you offer to ensure that the quality of the zone and neighboring zones is maintained or upgraded and that the intent and spirit of the New Windsor Zoning is fostered. (Trees, landscaping, curbs, lighting, paving, fencing, screening, sign limitations, utilities, drainage.)

6' Fence along Elm Dr will add security from people using path on Elm Dr. from entering property line. Deck will give extra railing around pool to meet 46" ground to pool top requirements.
75' decorative fence at end of driveway will give privacy from Hickory Ave.

✓ IX. Attachments required:

X Copy of referral from Bldg./Zoning Insp. or Planning Bd.

X Copy of tax map showing adjacent properties.

N/A Copy of contract of sale, lease or franchise agreement.

X Copy of deed and title policy.

X Copy(ies) of site plan or survey showing the size and location of the lot, the location of all buildings, facilities, utilities, access drives, parking areas, trees, landscaping, fencing, screening, signs, curbs, paving and streets within 200 ft. of the lot in question.

N/A Copy(ies) of sign(s) with dimensions and location.

✓ Two (2) checks, one in the amount of \$50.00 and the second check in the amount of \$250.00, each payable to the TOWN OF NEW WINDSOR.

 Photographs of existing premises from several angles.

Date: 8/5/92

The undersigned applicant, being duly sworn, deposes and states that the information, statements and representations contained in this application are true and accurate to the best of his/her knowledge or to the best of his/or information and belief. The applicant further understands and agrees that the Zoning Board of Appeals may take action to rescind any variance granted if the conditions or situation presented herein are materially changed.

x John Newcomb
(Applicant)

5th day of August, 1992
Sabrina A. Barnhart

PATRICIA A. BARNHART
Notary Public, State of New York
No. 01BA4904434
Qualified in Orange County
Commission Expires August 31, 1993.

- (a) Public Hearing date: _____.
- (b) Variance: Granted (☐) Denied (☐)
- (c) Restrictions or conditions:

(ZBA DISK#7-080991.AP)

CHICAGO TITLE INSURANCE COMPANY

A STOCK COMPANY

CERTIFICATE OF TITLE INSURANCE

Number 72C-60312

Date of Certificate 7-27-72

Amount of Insurance 24,800.00

This Certifies that for a valuable consideration, the receipt of which is hereby acknowledged, and in accordance with the provisions and stipulations of an Agreement made by CHICAGO TITLE INSURANCE COMPANY with WARWICK SAVINGS BANK

under date of June 15, 1970, and subject to the exceptions referred to in Schedule B herein below, the said WARWICK SAVINGS BANK

is insured as to the estate or interest and as to the premises as set forth in Schedule A herein below.

SCHEDULE A

1. The estate or interest of the Insured in the real property, insured hereunder, and the deed or other means by which the estate or interest is vested in the Insured.

Interest as Mortgagee in mortgage made by Gerald Westphal, Joann C. Westphal and Cecelia Macaluso to the Insured to secure the payment of \$ 24,800.00 and interest, dated July 27, 1972.

2. The real property in which the Insured has the estate or interest, insured hereunder, is as particularly bounded and described in the said deed or other instrument.

SCHEDULE B

The Company does not insure hereunder against such estates, interests, defects, objections to title, charges and encumbrances affecting such premises, or the estate or the interest insured, as are set forth in the title report of which this Certificate is part and which have not been marked "omit" or "disregard" and initialed by the person who has signed this Certificate as an Authorized Signatory.

In Witness Whereof, CHICAGO TITLE INSURANCE COMPANY has caused this Certificate to be signed and sealed as of the date of Certificate shown above, the Certificate to become valid when countersigned by an Authorized Signatory.

CHICAGO TITLE INSURANCE COMPANY

Issued by:
HOME TITLE DIVISION
Main Office:
180 Fulton Street
New York, New York 10007

By:



This Certifies that for a valuable consideration, the receipt of which is hereby acknowledged, and in accordance with the provisions and stipulations of an Agreement made by CHICAGO TITLE INSURANCE COMPANY with WARWICK SAVINGS BANK

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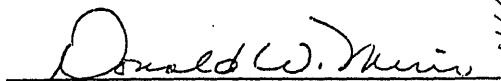
SCHEDULE B

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Issued by:
HOME TITLE DIVISION
Main Office:
180 Fulton Street
New York, New York 10007
(212) 233-1234

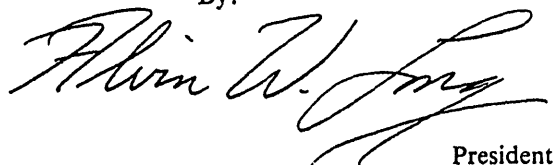
Countersigned:


Authorized Signatory




CHICAGO TITLE INSURANCE COMPANY

By:


President

ATTEST:


Secretary

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT — THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY

THIS INDENTURE, made the 5th day of December, nineteen hundred and eighty one
BETWEEN

JOANN WESTPHAL and CECELIA MACALUSO, both residing at
R. D. #4, Box 269, Hickory Avenue, New Windsor, N. Y.,
12550

party of the first part, and

JOANN NEWCOMB (formerly JOANN WESTPHAL) and CECELIA
MACALUSO, as joint tenants with right of survivorship,
residing at R. D. #4, Box 269, Hickory Avenue, New Windsor,
N. Y., 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, Orange County, New York, being lots Nos. 43, 44 & 45, in Block #16 upon a certain map entitled "Beaver Dam Lake, Section 1, lands of Henry Powell Ramsdell, Town of Cornwall and New Windsor, Orange County, New York, made by Blake & Woodhull, C.E.", dated April 22nd, 1931, and filed in the office of the Clerk of the County of Orange on May 5, 1931, as Map #1044.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center lines thereof; **TOGETHER** with the appurtenances and all the estate and rights of the party of the first part in and to said premises; **TO HAVE AND TO HOLD** the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

party of the first part, and

JOANN NEWCOMB (formerly JOANN WESTPHAL) and CECELIA
MACALUSO, as joint tenants with right of survivorship,
residing at R. D. #4, Box 269, Hickory Avenue, New Windsor,
N. Y., 12550

party of the second part,

WITNESSETH, that the party of the first part, in consideration of Ten Dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Town of New Windsor, Orange County, New York, being lots Nos. 43, 44 & 45, in Block #16 upon a certain map entitled "Beaver Dam Lake, Section 1, lands of Henry Powell Ramsdell, Town of Cornwall and New Windsor, Orange County, New York, made by Blake & Woodhull, C.E.", dated April 22nd, 1931, and filed in the office of the Clerk of the County of Orange on May 5, 1931, as Map #1044.

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AND the party of the first part covenants that the party of the first part has not done or suffered anything whereby the said premises have been encumbered in any way whatever, except as aforesaid.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of the improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose. The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

State of New York
County of Orange


JOANN WESTPHAL


CECELIA MACALUSO

STATE OF NEW YORK, COUNTY OF

SS:

On the 13th day of January 1982, before me personally came

Joann Westphal and Cecelia Macaluso

to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that they executed the same.

Marilyn L. Arnold
NOTARY PUBLIC IN THE STATE OF NEW YORK
RESIDENT ORANGE COUNTY WHEN APPOINTED
COMMISSION EXPIRES MARCH 30, 1983

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19 , before me personally came

to me known, who, being by me duly sworn, did depose and say that he resides at No.

that he is the of

, the corporation described in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19 , before me personally came

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

SS:

On the day of 19 , before me personally came

the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that he resides at No.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

SECTION #1
BLOCK #16
LOT #43, 44, 45
COUNTY OR TOWN Orange

JOANN WESTPHAL and CECELIA MACALUSO

TO

JOANN NEWCOMB (formerly JOANN WESTPHAL)
and CECELIA MACALUSO

RETURN BY MAIL TO:

To Ann Newcomb
RD #4 Box 269 Hickory Ave
New Windsor N.Y.
Zip No. *12550*

ing Office.

day

to me known to be the individuals described in and who executed the foregoing instrument, and acknowledged that ~~they~~ executed the same.

NOTARY PUBLIC IN THE STATE OF NEW YORK
RESIDENT ORANGE COUNTY WHEN APPOINTED
COMMISSION EXPIRES MARCH 30, 1923

STATE OF NEW YORK, COUNTY OF

[illegible]

that he is the
of

in and which executed the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

to me known to be the individual described in and who executed the foregoing instrument, and acknowledged that executed the same.

STATE OF NEW YORK, COUNTY OF

On the _____ day of _____, 19____, before me personally came _____ the subscribing witness to the foregoing instrument, with whom I am personally acquainted, who, being by me duly sworn, did depose and say that _____ he resides at No. _____.

that he knows

to be the individual described in and who executed the foregoing instrument; that he, said subscribing witness, was present and saw execute the same; and that he, said witness, at the same time subscribed his name as witness thereto.

Bargain and Sale Deed

WITH COVENANT AGAINST GRANTOR'S ACTS

TITLE No.

SECTION #1
BLOCK #16
LOT #43, 44, 45
COUNTY OR TOWN Orange

JOANN WESTPHAL and CECELIA MACALUSO

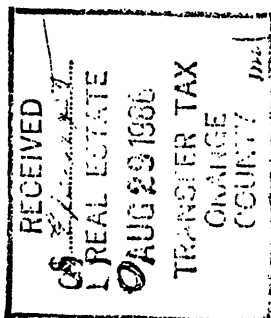
TO

JOANN NEWCOMB (formerly JOANN WESTPHAL)
and CECELIA MACALUSO

RETURN BY MAIL TO:

To Ann Newcomb
RD #4 Box 269 Hickory Ave
New Windsor N.Y.
Zip No. 12550

Reserve this space for use of Recording Office.



5.5-
ACD

157

Marion S. Mearns

2500 2518

Date 1/27/12, 19.....

TOWN OF NEW WINDSOR

**TOWN HALL, 555 UNION AVENUE
NEW WINDSOR, NEW YORK 12550**

TO Frances Roth 389 Moores Ht. Rd DR.
New Windsor, NY 12553

[illegible]

JULY 27, 1992

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JOANN NEWCOMB

MR. FENWICK: The first preliminary meeting is Joann Newcomb request to allow existing pool, deck and six foot high fence in front yard contrary to Sections 48-14(A), ~~48-14(B)1~~, 48-14(C)(2) and 48-21(G)1 at property located on Hickory Avenue in an R-4 zone. (63-8-3)

Ms. Newcomb, come up, please.

MR. BABCOCK: Mr. Chairman, just to clear the record a little bit, the pool section is existing, the fence and deck are proposed.

MR. LUCIA: Also, in addition just for the record, before you is a number of sections involved and I was just discussing with Mike the agenda cites 48-14(B)1 and I think the variance in that section probably is not necessary. That's the one that says obstruction of vision on the corner lot. You're not permitted any structure higher than 30 inches measured 30 feet back from the street intersection. This is a curve but I think if you look at the map and you measure from the center of that curve probably the fence is more than 30 feet back from the actual street intersection.

MS. NEWCOMB: From Hickory Avenue, yes.

MR. LUCIA: The problem is we don't need a variance on that. Mike put it in wisely because it's actually referred to in one of the other sections.

MR. BABCOCK: 48-14(C) is an exemptions to yard requirements. One of that (C), (C)(C) is fences and then it goes on to tell you that it must comply with 48-14, that's why.

MR. LUCIA: Which I think it probably does. So, the section she's going to need a variance from is 48-14 (A)1(B), that would be accessory building which in this case everything, the deck, the pool the fence extend, it's over four feet high is not setback ten feet from property line. 48-14(A)(4) no accessory building projected nearer to the street than the principle building itself. 48-14

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(C)(1) a fence with a height in excess of four feet shall conform to the requirements for buildings. In this case it doesn't meet the ten foot setback. 48-21(G)1 a pool located in a required front yard. So I think she probably is going to need variances from all four of those sections.

MS. NEWCOMB: Whatever. I did not know that this was a front yard. I didn't realize it.

MR. LUCIA: As you probably know now 48-14(B)2 says that you have two front yards where you front on two streets even though one of the streets maybe a paper street.

MS. NEWCOMB: Now I realize that.

MR. FENWICK: Did you put the pool in yourself or did you have a contractor put it in?

MS. NEWCOMB: I had a contractor put it in.

MR. FENWICK: Do you know who that was?

MS. NEWCOMB: Pools Plus in Middletown.

MR. FENWICK: They did not tell you you needed a building permit?

MS. NEWCOMB: They really didn't care. I called, okay, I did call the town prior to putting the pool in to ask them if there was any requirements for the pool. Okay. All I was told was that I needed a ten foot side yard not knowing that I had two front yards. Then after the pool was in then I went for the building permit. I did it backwards is what I did. The pool was in just June 3rd. I already have the Fire Underwriters, the Fire certificate that everything is in compliance with the electrical. It's all been inspected and everything if you would like to see a copy of it. I think Michael has one.

MR. FENWICK: Who inspected it, Ernie?

MR. BABCOCK: Yes, New York Board of Fire

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Underwriters. .

MS. NEWCOMB: Ernie. That's one of the reasons I didn't put the permit first because I wanted to make sure I had the money to have this done.

MR. LUCIA: The pool was put in June 3rd of this year?

MS. NEWCOMB: Yes, it was.

MR. FENWICK: Is there a reason why you situated the pool where you did?

MS. NEWCOMB: Yes, because in my back I have wet lands. I have swamp. It's all wet back there. As a matter of fact two years ago the town came in and put a special drain pipe in for me because of the problem I have with water. That was the highest point of my land that I could possibly put the pool. That's why I put it there.

MR. FENWICK: So actually everything else that you're anticipating as far as this deck and the pool and the fence around it all is contingent on the pool then?

MS. NEWCOMB: Yes.

MR. BABCOCK: Mr. Chairman, one thing I'd like to add to it, the pool now, because of the slope of the land, does not meet the requirements to be 46 inches out of the ground, what the State code requires. So, by building the deck she would solve that problem. Or by putting up the fence and she's trying to do that with both. Right now the pool is dug into the ground, then it lacks the 46 inch height requirement by State law.

MS. NEWCOMB: A child can jump in there.

MR. FENWICK: I see.

MR. BABCOCK: The purpose of this deck is so she can have a deck on her pool, of course, number one purpose. Number two is to eliminate that problem once the deck is there.

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MR. FENWICK: Give it a rail around the deck?

MS. NEWCOMB: Yes.

MR. BABCOCK: The fence would be for privacy and also for somebody can't get into the pool.

MR. TANNER: Am I to understand Elm isn't a road?

MR. BABCOCK: It's a paper road. It's never been built.

MS. NEWCOMB: I have been there twenty years and I don't think it will ever be built.

MR. FENWICK: Across this front section here from the pool to out here you're anticipating a short section of fence here, also?

MS. NEWCOMB: No, because when I put this deck around it will, it will be 46 inches on that side. Yes, eventually I would like to put maybe next year a six foot fence, yes.

MR. FENWICK: You're not anticipating, we're not looking at this six foot fence that goes along basically your front yard here now, we are only addressing this fence here and this one here?

MS. NEWCOMB: That's right.

MR. FENWICK: We are not addressing this other fence?

MS. NEWCOMB: No.

MR. FENWICK: So there will be no fence on the paper road of Elm Drive?

MR. BABCOCK: Joann, if you don't ask for a variance now you will need one when you go to erect.

MS. NEWCOMB: I would like to have a variance, definitely.

MR. BABCOCK: I told her, she had proposed that.

MS. NEWCOMB: I put it here for, to propose it that this way I could put a six foot high fence on that side if I choose.

MR. BABCOCK: Mr. Chairman, right now Elm Street, being a nonpaved road, is somewhat of a thoroughfare for the kids going to Hickory Street. That was her logic of putting the fence there. If I was going to make her get a variance she might as well do that to keep the people out of the yard. It's a cut through.

MR. FENWICK: The fence should be off the property line somewhat.

MR. BABCOCK: You are allowed a six foot fence anywhere on, anywhere on your property except in the front yard.

(Mr. Torley enters the room)

MR. BABCOCK: That is considered a front yard, that's why she is not allowed to have it there, because it's on the paper road.

MR. FENWICK: I am just looking at whether this drawing is clear or not by the six foot fence. Looks like it's right on the property line.

MS. NEWCOMB: It is. It is. I mean if I had to I could bring it in.

MR. BABCOCK: It's supposed to be put anywhere on your property. So if you're digging a twelve inch hole you should come in at least six inches if not more.

MS. NEWCOMB: It is a thoroughfare. I mean I have traffic, kids coming back on and off. I mean you could go right now and you could see a path.

MR. LUCIA: If this Board grants you a variance obviously it's only to put the fence on your land. We can't grant your variance to put it on the paper street line.

MS. NEWCOMB: Of course.

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MR. LUCIA: Two sections of fence. You're applying for seven and a half foot and six foot.

MS. NEWCOMB: Yes, of course the other one I have a four foot in the back already. On the side six foot which is all fine and they are both ten feet in from my property line. I have a dog pen there that I already have a permit on that is six feet high.

MR. FENWICK: How far encroaching on the front yard are we with the pool and the deck, etc.?

MR. BABCOCK: The whole, the entire amount.

MR. FENWICK: She's still ten foot shy off of the property line for the pool.

MS. NEWCOMB: No.

MR. BABCOCK: The pool is not, cannot be in any required front yard. It's within the entire --

MR. FENWICK: It's being addressed because the pool is not an accessory structure.

MR. BABCOCK: One is the deck which is a different section and one is the pool which is a section for the pool.

MR. LUCIA: Nothing is permitted there. The entire extent of it is being varied.

MR. FENWICK: That's what I am trying hard to understand here. You have a deck but a fence, excuse me, a fence. You're bringing it all the way, you're not finishing it up to the pool. I would have thought if you at least put in this section it would block anybody from getting into here.

MS. NEWCOMB: I am bringing it, I am bringing it right here. I am not showing it on this but this is where the, no, it would be in the back, right here.

MR. FENWICK: You are anticipating coming all the

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way across.

MS. NEWCOMB: That's where the seven and a half foot fence is coming in. This is for privacy that when people drive on Hickory they don't look into my pool.

MR. FENWICK: This is what I am saying. I'm not seeing that on this application.

MR. LUCIA: I think there is several denials, probably different sketches.

MR. BABCOCK: Yes.

MR. LUCIA: I think the first one is the fence. Three separate denials.

MS. NEWCOMB: This is what the fence is going to look like.

MR. BABCOCK: Rich, on the front of the denial I have wrote the fence, pool and deck and circled it because there is three different denials. I thought this would be the way that the Board wanted it done in case. There was a variance granted on one of the applications and not the other.

MR. LUCIA: It's probably neater since so many sections of the ordinance are involved on the denial. Mike cites the specific actions. It's probably easier to treat it as one.

MR. FENWICK: Any other questions from the members of the Board? Motion to settle for a public hearing?

MR. NUGENT: I will make it --

MR. TANNER: I will make a motion.

MR. NUGENT: I will second it.

MR. FENWICK: Roll call?

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ROLL CALL:

Mr. Torley Aye
Mr. Konkol Aye
Mr. Tanner Aye
Mr. Nugent Aye
Mr. Fenwick Aye

MR. FENWICK: Before you leave we are going to have our attorney explain to you what you need and what will be required at the public hearing.

MR. LUCIA: You're asking for variances on the specific sections of the zoning ordinance which I mentioned at the outset of your presentation, those are all area variances. For this Board to grant you an area variance essentially what you have to prove is the benefit to you if the variance is granted as weighed against the detriment, the disadvantage to the health, safety and welfare of the community is not adversely affected by granting you this variance. There are five factors that are involved in that decision you have to speak on. The first is whether an undesirable change will be produced in the character of the neighborhood or detriment to the nearby properties. So, as part of your application I have suggested you bring in some photographs showing the area where you put the pool, what it is that's nearest to the fence, the pool, the deck to show how it's going to go back to the neighboring property. If you have the street on the one side show that. Two, is whether the benefits sought by you can be achieved by some other method feasible to pursue other than area variance. I think you're on the right track. You mentioned you have a water problem, I would expand on that. Three, whether the requested area variance is substantial. In this case it is because you're asking to put a pool in an area where no pool at all was allowed, same for the deck and the fence in the front yard. I would explain that is a paper street, how long it's been a paper street, the impact, anybody immediately adjacent. Four, if the proposed variance has an adverse affect or impact on physical or environmental conditions in the

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neighborhood. You didn't speak to that before the Board. Fifth, whether the difficulty was self-created. In other words, is it a problem you caused yourself by complaining what it is you spoke about with pools, having put the pool in.

MS. NEWCOMB: I did call the town and I did not know that was a, that was my front yard. I really did not know that. I lived there twenty years, never had a problem.

MR. LUCIA: Explain all that when you come back for the public hearing. Those are the specific five things you have to speak to for the Board to grant you an area variance. When you come back I mentioned the photographs. I'd also like to see a copy of your deed and your title policy.

MS. NEWCOMB: I don't know if I have a copy of my title. I know I have a copy of my deed.

MR. LUCIA: You might call --

MS. NEWCOMB: The bank might have it.

MR. LUCIA: You might call the attorney who represented you when you bought the property.

MS. NEWCOMB: He's dead.

MR. LUCIA: Try the bank.

MS. NEWCOMB: There's no way I could get it from him.

MR. LUCIA: You will get an application before you're through. There are instructions that are self-explanatory. If you have any questions give Pat a call. You return that to Pat. You also have to bring in two checks, both payable to the Town of New Windsor, one for \$50 for an application fee, one for \$250 as a deposit against town consultant fees and various disbursements the town has in processing the application. I think the instructions are pretty complete. If you have any questions give us a call.

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MS. NEWCOMB: That's it?

MR. LUCIA: That's it.

MS. NEWCOMB: Okay, thank you very much. See you soon.